

REMARKS

Claims 1-3, 5-6, 8-13 and 15-18 were rejected in the final Office Action of June 16, 2004. The rejection of these claims was appealed to the Board of Patent Appeals and Interferences, and the Board affirmed the rejection in a decision of October 24, 2007. In response to the Board's decision a Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit appealing the Board's decision was filed on January 23, 2008.

Applicant has now withdrawn the appeal to the Federal Circuit by filing the attached UNOPPOSED MOTION FOR DISMISSAL OF APPEAL (see Appendix) with the Court on April 2, 2008. In accordance with 37 C.F.R. § 1.114(a)(3) applicant hereby submits a Request for Continued Examination (RCE) along the fee, and respectfully requests entry and consideration of this amendment. See also MPEP § 706.07(h). In view of applicant's termination of the appeal to the Federal Circuit, applicant respectfully submits that this RCE is proper.

This response is submitted with a request for a three (3) month suspension of action under 37 C.F.R. § 1.103(c).

In this response claims 1 and 3 are amended, claim 13 is cancelled and new claim 22 is added. Applicant respectfully submits that all amendments are fully supported by the specification as originally filed. Claims 1 and 3 are amended to include the limitations from cancelled claim 13, and new claim 22 contains the limitations from claims 1, 2 and 10.

Applicant respectfully requests reconsideration and withdrawal of the rejections of June 16, 2004 in view of the amendments and following discussion.

Claim Rejections Under § 102

In section 3, on page 2 of the Office Action of June 16, 2004, claims 1-3, 5-6, 8-12 and 15-18 are rejected under 35 U.S.C. § 102(b) as anticipated by Dohjo et al. (U.S. Patent No. 6,078,366). Independent claims 1 and 3 are amended to include the limitations from claim 13, and now recite "a scanning line formed of partly or wholly nitridated aluminum or partly or wholly nitridated aluminum alloy." The Office acknowledges on page 5 of the Office Action that Dohjo does not disclose that the material used for the scanning line is nitridated aluminum or nitridated aluminum alloy, and relies upon Sakata et al. (JP 11-284195) for this teaching.

Therefore, applicant respectfully submits that Dohjo fails to disclose or suggest all of the limitations recited in independent claims 1 and 3.

The dependent claims rejected above are also not disclosed or suggested by Dohjo at least in view of their dependencies.

Claim Rejections Under § 103

In section 5, on page 5 of the Office Action of June 16, 2004, claim 13 is rejected under 35 U.S.C. § 103(a) as unpatentable over Dohjo in view of Sakata. As stated above, the limitations from claim 13 have been incorporated into claims 1 and 3, and claim 13 has been cancelled. Therefore, the rejection of claim 13 as unpatentable in view of Dohjo and Sakata will be addressed with respect to claims 1 and 3.

The Office asserts that it would have been obvious to modify Dohjo with the teachings of Sakata by using partly or wholly nitridated aluminum or partly or wholly nitridated aluminum alloy for the scanning lines so as to obtain a low contact resistance. However, Sakata states that the contact resistance produced by using a gate line of two layers, one of pure aluminum and one of nitridated aluminum is on the order of 350 Ω . See Sakata page 16. Furthermore, Sakata states that upon heating the contact resistance increases to 750 Ω and 850 Ω . See Sakata page 16. In contrast, the present application states in paragraphs [0013] and [0014] of the published application that the present application is directed to considering the problem of reducing the contact resistance between the auxiliary capacitance line and the collected auxiliary capacitance line to the level of several tens ohm.

Therefore, the combination of a scanning line formed of partly or wholly nitridated aluminum or partly or wholly nitridated aluminum alloy, as recited in claim 1 and 3, with the configuration of claims 1 and 3 produces unexpected results, because it is possible to reduce the contact resistance to tens of ohms, an order of magnitude less than the contact resistance mentioned in Sakata. Accordingly, applicant respectfully submits that claims 1 and 3 are not obvious in view of the combination of Dohjo and Sakata, because the combination recited in claims 1 and 3 produces unexpected results compared to the cited references.

Therefore, the claims depending from claims 1 and 3 are also not obvious in view of the cited references.

New Claim 22

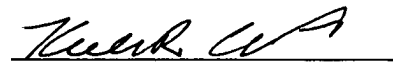
New independent claim 22 contains limitation similar to those recited in claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, new independent claim 22 is believed to be novel and nonobvious over the cited references.

Conclusion

For at least the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

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Respectfully submitted,



Keith R. Obert
Attorney for Applicant
Registration No. 58,051

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955